

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ALAN CHARLES,

Petitioner,

-against-

MICHAEL CAPRA, Superintendent,

Respondent.

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21 **CIVIL** 1669 (VB)
JUDGMENT

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order Adopting Report and Recommendation dated August 22, 2022, petitioner's objections are OVERRULED and the R&R is adopted in its entirety as the opinion of the Court; the motion to dismiss is GRANTED; the petition for a writ of habeas corpus is DISMISSED; judgment is entered; accordingly, the case is closed. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

Dated: New York, New York
August 24, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

J. Savinon

Deputy Clerk